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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/173,828	10/16/1998	JESUS VAZQUEZ		4682

7590

11/20/2002

JESUS VAZQUEZ  
C/ALAMEDA B-13  
STA JUANITA  
BAYAMON, 00956  
PUERTO RICO

EXAMINER

KOCZO JR, MICHAEL

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 11/20/2002

23

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**  
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Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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Commissioner of Patents and Trademarks

Michael Kocz, Jr.  
Primary Examiner  
Art Unit: 3746

Art Unit: 3746

*Response to Amendment*

The reply filed on October 21, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant's amendments fail to comply with 37 CFR 1.121 (pertinent portions are reproduced below):

§ 1.121 Manner of making amendments in application.

(c) Claims. —

(1) Amendment by rewriting, directions to cancel or add. Amendments to a claim must be made by rewriting such claim with all changes (e.g. additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(i) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

(3) A clean version of the entire set of pending claims may be submitted in a single amendment paper. Such a submission shall be construed as directing the cancellation of all previous versions of any pending claims. A marked up version is required only for claims being changed by the current amendment

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(see paragraph (c)(1)(ii) of this section). Any claim not accompanied by a marked up version will constitute an assertion that it has not been changed relative to the immediate prior version.

The claim amendments of October 21, 2002 have therefore not been entered.

Any subsequent claim amendments must use underlining and bracketing to show the additions and deletions of claim language relative to the previous claim amendments, in this case the amendments of August 8, 2001.

It is also noted, for example, that claim 16 in the amendment of October 21, 2002 bears no resemblance to claim 16 in the amendment of August 1, 2001.

Applicant states that "I also eliminated almost half the claims from the original 36 to just 19." However, there is no instruction to cancel any claims. Currently there are 29 claims of record.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment of the application.

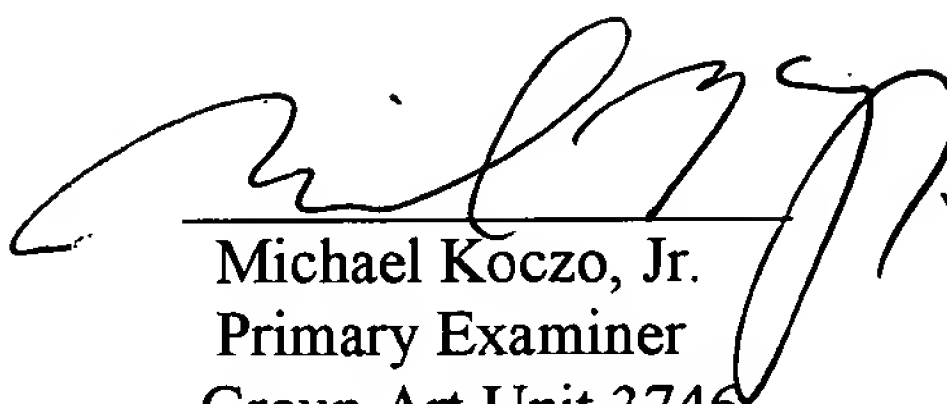
Any inquiry relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is 703-306-5648.

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Any inquiry relating to patent applications in general should be directed to the Patent Assistance Center at 1-800-786-9199.



Michael Koczo, Jr.  
Primary Examiner  
Group Art Unit 3746

M. Koczo, Jr./mnk  
November 20, 2002  
TEL 703-308-2630  
M-F 7:30 to 16:00  
FAX 703-308-7763